

REMARKS

The Office Action requires an election under 35 U.S.C. § 121 from among the following:

- I. Claims 1-49, 83 and 84, drawn to a method of detecting modulators of Notch or immune signaling, classified in class 435, subclass 4;
- II. Claims 50 and 51, drawn to a modulator of Notch; classification dependent upon structure of modulator;
- III. Claims 52-58, drawn to a method of treating a disease or condition comprising administering a modulator of Notch, classified in class 514, subclass 2, for example;
- IV. Claim 59, drawn to a particle comprising a protein comprising a Delta DSL domain and at least one Delta EGF domain bound to a particulate support matrix, classified in class 530 subclass 350;
- V. Claims 60-64, drawn to a particle comprising a protein comprising a Delta extracellular domain, or an active portion thereof, bound to a particulate support matrix, classified in class 530, subclass 350;
- VI. Claims 65-68, drawn to a method of identifying genes which are upregulated in an immune cell, classified in class 435, subclass 6;
- VII. Claim 69, drawn to a gene that is upregulated in an immune cell in response to a combination of Notch signaling and immune cell activation, classified in class 536, subclass 23.1;
- VIII. Claims 70-78, drawn to an assay for identifying a compound that modulates Notch signaling comprising providing a culture of immune cells, transfecting said cells with a Notch signaling reporter construct, optionally transfecting the cells with a nucleic acid encoding Notch, optionally providing a Notch ligand, exposing the cells to a compound, and determining the difference in signaling, classified in class 435, subclass 6; and
- IX. Claims 79-82, drawn to an immune cell transfected with a Notch signaling reporter construct and an expression vector encoding Notch, classified in class 435, class 325.

Applicants elect group I, claims 1-49, 83 and 84, for further examination. The Examiner further required four species elections. Applicants elect the following species:

1. gene that is monitored: a. an endogenous target gene of Notch signaling;
2. second signal: p. a TCR signaling pathway;
3. third signal co-stimulus: CD28
4. Notch signaling activated by: s. activating Notch.

Claims 1-13, 18-22, 26, 29, 30, 32-47, 49, 83 and 84 are generic to all species. Applicants understand that, upon the allowance of a generic claim, claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim will be considered, as provided by 37 C.F.R. 1.141. Applicants also understand that the Examiner can broaden the search to include other species, *e.g.*, upon determining that a species is allowable, or when there is a relationship among the species and/or number of species is not too great.

Applicants look forward to early action on the merits.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: Anne-Marie C. Yvon
Thomas J. Kowalski
Reg. No. 32,147
Anne-Marie C. Yvon, Ph.D.
Reg. No. 52,390
Tel (212) 588-0800